

COUNTY OF KAUAI
Minutes of Meeting
OPEN SESSION

Board/Committee:		Kaua'i Police Commission	Meeting Date	January 22, 2016
Location	Mo`ikeha Building – Meeting Room 2A/B		Start of Meeting: 9:00 a.m.	End of Meeting: 1:04 p.m.
Present	<p>Chair Charles C.C. Iona; Vice Chair Mary K. Hertog; Members: Savita Agarwal, Gerald Chip Bahouth, Kevin Mince, James R. O'Connor, and Donald Moki Okami Sr.</p> <p>Also present: Board & Commissions Office Staff: Support Clerk Mercedes Omo; Administrator Jay Furfaro (arrived at 11:55 a.m.); Office of the County Attorney: Deputy County Attorney Mahealani Krafft;</p> <p>Police Department: Chief Darryl Perry; Executive Chief Michael Contrades; Assistant Chiefs Roy Asher and Robert Gausephol; Captain Paul Applegate; Acting Captains Kenneth Cummings and Scott K. Brede; Lieutenants Scott K. Kauai, James Rodriguez, Jon Takamura and Trent Shimabukuro; Acting Lieutenant James Miller; and Detective Scott Williamson.</p> <p>Public Testifier: Alice Parker</p>			
Excused				
Absent				

SUBJECT	DISCUSSION	ACTION
	Prior to the start of the meeting, Eddie Topenio Administrative Assistant to the County Clerk, gave the Oath of Office to Commissioners Mary K. Hertog and Kevin Mince.	
Call to Order	<p>Chair Iona asked if there was anyone in the audience who wish to give testimony on the items listed on the agenda.</p> <p><u>Alice Parker</u> The Commission received public testimony from Alice Parker in regards to agenda item KPC 2016-02. She began by explaining that she would like to have the Police Commission meetings televised on Hoike Television because the community desperately needs to know what type of issues the Police Commission and the Kaua'i Police Department is dealing in the community.</p>	At 9:00 a.m. Chair Iona called the meeting to order with all seven (7) members present constituting a quorum.

SUBJECT	DISCUSSION	ACTION
	<p>She expressed her concerns over the county’s efforts to get people to apply for the school crossing guard and suggested that the notices be in an areas where there is more people exposure such as the grocery stores. Ms. Parker suggested that relative to the work schedule most people that she has come across oppose the idea of having to work split shift so perhaps the department could create two shifts one in the morning and one in the afternoon.</p> <p>With no further testimony, Chair Iona thanked Ms. Parker for her testimony and moved unto the next agenda item.</p>	
<p>Approval of Minutes</p>	<p>Chair Iona called for a motion to approve the Regular Open Session Minutes of December 18, 2015.</p>	<p>Commissioner Okami moved to approve the meeting minutes of December 18, 2015. Commissioner O’Connor seconded the motion. Motion carried 7:0</p>
<p>Chief’s Monthly Reports</p>	<ol style="list-style-type: none"> 1. Administrative and Technical Bureau – KPD Recruitment update, Records Section and Training Report 2. Fiscal Report 3. Investigative Services Bureau – Vice Section, Special Focus Section and General Crimes Section 4. Bench Warrant Tracking 5. Patrol Services Bureau & Traffic Reports 6. Community Oriented Policing Reports - Traffic Section and Districts of Līhu‘e, Hanalei and Waimea 7. Chief’s Announcements and other pertinent updates <p><u>Administrative and Technical Bureau Recruitment</u></p> <p>Assistant Chief Robert Gausephol and Captain Paul Applegate of the A&T Recruitment Bureau gave a brief overview of the Department’s recruitment efforts. As of January 4, 2016, 11 PSO recruits are in the police recruit academy. There are currently 10 vacancies of which 4 are county funded</p>	

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	<p>vacancies and 6 are grant funded vacancies. To help boost its pool of applicants the department will be doing a television commercial and seeking recruits outside of the county and the mainland.</p> <p>Vice Chair Hertog asked how the 87th Recruit Class is progressing. A/C Gausephol responded that they loss one recruit and remaining 11 are all doing fine.</p> <p>Commissioner Hertog stated that she noticed that the last recruit classes showed a great deal of diversity asking what is the department doing in terms of getting the word out beyond Kaua'i since the recruit pool has literally dried up.</p> <p>A/C Gausephol responded in addition to doing a television commercial the department is also working with a background investigator from Riverside, California who will going to various police academies to specifically recruit from them.</p> <p>Commissioner Agarwal asked if he could shed some light on the psychological aspect of the recruitment process.</p> <p>A/C Gausephol explained that the psychological phase consist of a pre-employment test (written test) on multiple dimensions, a psychological risk grading test to determine if the individual is a low, moderate, high or indeterminable risk. He further explained that the next phase is a background check in which they will be given a pre-conditional job offer because by law you cannot ask a person questions unless you give them a pre-conditional job offer first.</p> <p>He stated that once they pass the background phase they will then move on to the interview phase where they will undergo a series of questions</p>	

SUBJECT	DISCUSSION	ACTION
	<p>conducted by one of the nation’s top psychologist.</p> <p>With no further questions or comments, Chair Iona moved unto to the Community Oriented Policing Reports.</p> <p><u>Lihu‘e District Commander Lieutenant James Rodriquez.</u></p> <p>Commissioner Hertog asked what are his biggest challenge as the District Commander for the Lihu‘e district. Lt. Rodriguez responded making sure that his officers have all of the proper equipment they need so they can do their job, and trying to satisfy the public by providing them with answers (with the help of his officers) in timely manner.</p> <p>Commissioner Hertog asked what the public’s reaction is since the implemented of the body worn cameras. Lt. Rodriguez responded that he has gotten nothing but positive feedback from the public.</p> <p>Commissioner Agarwal asked about the officers’ reaction to the body worn cameras. Lt. Rodriguez responded at first there was some reluctance which is natural whenever new changes are implemented but overall, his officers are adjusting well and there are no complaints.</p> <p>With no further questions, Chair Iona moved unto the Hanalei District.</p> <p><u>Hanalei District Commander Lieutenant Scott K. Kauai</u></p> <p>Lt. Kauai stated that the challenge he and his officers face almost on a daily basis are crimes of theft and domestic abuse.</p> <p>In regards to the body worn cameras, Lt Kauai stated that the only challenge is prior to the end of a shift his men now have to down load and label each</p>	

SUBJECT	DISCUSSION	ACTION
	<p>footage accordingly which may take additional time; however, he feels that the body worn cameras is a good tool because it will protect his officers from someone making a false claim against and will them push them to conduct themselves in a professional manner.</p> <p>Chair Iona stated that as Commissioners' we must take a more proactive approach in terms of acting in anticipation of future problems, needs, or changes in the Kaua'i Police Department. He stated that there are times when these so call political influences may preempt the Chief from trying to get certain things done and as Commissioners we accepted the responsibility (when we took the oath) to be a buffer between the police department and the political phase; all we ask for in return is for the men and women in KPD continue to do their jobs.</p> <p>Commissioner O'Connor commented that coming from the Northshore he can attest that Lt. Kauai and his officers as well as his predecessor before him have been doing a commendable job. He asked Lt. Kauai if he recalls a comment about the Northshore being managed out of Kapa'a.</p> <p>Lt. Kauai responded that if people are not happy about having to come down to the Kapa'a substation to see him they can always call him to arrange a meeting. He added that as the Hanalei District Commander he oversees both the Kawaihau and Hanalei districts which is very difficult to do because of the lack of staffing. Lt. Kauai added that he apologizes but his job requires that he attend meetings in Lihu'e almost on a daily basis which makes it impossible for him to please everyone.</p> <p>Commissioner O'Connor stated that he doesn't view the comment as being negative it's just that the residents on the Northshore are no longer getting</p>	

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	<p>the level of attention they once had when it was being managed out of the Northshore.</p> <p>Chief Perry said that the priority right now is in the Kawaihau District and it's not to say that the Northshore is less important, but right now the need is in the Kawaihau district because of the area's population growth. He stated that for quite some time now, the department has been dealing with the lack staffing in which he will be going to the Mayor for help.</p> <p>Commissioner Agarwal asked if he noticed changes in the amount of domestic abuse calls.</p> <p>Lt. Kauai stated that although there haven't been any changes the abuse is still happening which is why the department has implemented a new program call the Lethality Assessment Plan for first responders. The program will help determine the level of risk a person faces.</p> <p>Commissioner Bahouth asked relative to having to download the film footage how much more time would the whole process take. Lt. Kauai responded that the whole process should take about fifteen (15) minutes but with the new technology he can see it taking more time because his officers are still trying to get used to the process.</p> <p>Commissioner Hertog asked if he thinks the additional time is just a learning curve or will it continue to build. Lt. Kauai responded that it's a learning curve because his officers have to manually type in the information before they can download the footage.</p> <p>With no further questions, Chair Iona moved unto the Waimea District.</p>	

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	<p><u>Lt. Trent Shimabukuro – Waimea District Commander</u></p> <p>Chair Iona asked what is being done to control the homeless population on the Westside. Lt. Shimabukuro responded that they are have been conducting routine checks and for the most part the situation is under control. He added that the people are confined to one area which makes it easier for his patrol officers to locate them in case a call comes in.</p> <p>Commissioner Hertog asked Lt. Shimabukuro what are his biggest challenges other than the geographic distance and the little amount of officer’s he has stationed in the Waimea district. Lt. Shimabukuro responded that the way the administration has broken down the size of each district made it easier for his men and that the only challenge is trying to stay one step ahead of the bad guys.</p> <p>Commissioner Bahouth asked Lt. Shimabukuro if an officer is kept in and around the Po‘ipū area at all times. Lt. Shimabukuro responded yes.</p> <p>Chief Perry commented that this is a big departure from what the District Commanders are used to and that he is very proud of them and their responses.</p> <p>Chair Iona commented that he appreciates seeing the interaction between the Commissioners and the Commanding Officers but what would be even better is for the people who cannot attend these meetings be able to see and hear first-hand what is going on in their particular district as wells as what law enforcement is doing to keep their communities safe.</p> <p>With no further questions, Chair Iona moved onto the Chief’s announcements.</p>	

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	<p><u>Chief's announcements</u></p> <p>Chief Perry made the following announcements:</p> <ul style="list-style-type: none">• Recruitment effort are on-going for police officers, dispatchers and school crossing guards positions;• KPD has implemented an Lethality Assessment Plan to help identify high risk victims of domestic abuse and the level of risk they face;• A house bill was submitted by State Representative Matthew LoPresti with respect to restrictions the Body Worn Cameras. Chief Perry opined that the bill is flawed and counter-productive to what KPD is trying to accomplish and will be forwarding testimony opposing the bill along with the support of SHOPO to Representative Matthew LoPresti;• Chief Perry thanked County Engineer Larry Dill for all he has done to help the Kaua'i Police Department. Mr. Dill is leaving the County for a position with the State Transportation Divisions;• Chief Perry acknowledged a letter from Charles C.C. Iona who wrote to thank the 911 male dispatcher for handling his call in a very professional manner;• Chief Perry shared a letter he wrote to Ms. Sonia I. Topenio thanking her for her words of kindness and her monetary gift. KPD was unable to accept the gift because it would be a violation of KPD's Standards of Conduct. The gift was in response to a robbery of the Bank of Hawai'i - Kapa'a Branch on December 31, 2015;• Chair Iona thanked Lieutenant Todd Tanaka for inviting the Police Commission to participate in the 86th Recruit Class Graduation Ceremony.	

SUBJECT	DISCUSSION	ACTION
Business KPC 2015-11	<p>Discussion or input on possible recommendations for improvements to <u>Article XI Police Department</u> of the Kaua‘i County Charter.</p> <p>Commissioner O’Connor distributed copies of his written recommendation to his fellow Commissioners to “belay” any action or discussion of possible amendments to Article XI of the Kaua‘i County Charter pending the ruling of the Intermediate Court of Appeals.</p> <p>With no further discussion, Chair Iona called for a motion to receive Commissioner’s O’Connor written communication dated January 19, 2016.</p>	<p>Commissioner Agarwal moved to accept Commissioner’s O’Connor written communication dated January 19, 2016 for the record. Vice Chair Hertog seconded the motion. Motion carried 7:0</p>
KPC 2015-12	<p><u>Discussion on the Kaua‘i Police Department’s Budget for FY 2016/2017.</u></p> <ul style="list-style-type: none"> • PowerPoint presentation by Chief Executive Officer Michael Contrades reflecting data relating to the department’s budgetary priorities and fiscal responsibilities, overtime, grants, mission and vision statements, goals and accomplishments, recruitment/training, challenges, a composition of KPD’s organizational chart, and a brief presentation by the Patrol Services and Investigative Bureaus, and the Office of Professional Standards. <p><u>Patrol Services Bureau</u></p> <p>A/C Asher along with Acting Captain Scott Brede reported that the Patrol Services Bureau is made up of 3 District Commanders and Lieutenant Jon Takamura). Currently, the bureau is looking at adding another lieutenant’s position, 1 clerk’s position, and 3 sergeant positions to re-establish the Hanalei District. The bureau also has a communication center lead by Lt.</p>	

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	<p>Kennison Nagahisa, a Detention Facility lead by Sgt. Colin Nesbitt, and a Collateral Auxiliary Section which consist of an Apprehension Strike Team and Bicycle Patrol Unit.</p> <p><u>Investigative Services Bureau</u></p> <p>Captain Bryson Ponce introduced Lieutenant Mark Ozaki of the Special Focus Section and Lieutenant Kenneth Cummings of the General Crimes Section. Acting Assistant Chief Richard Rosa is off-island working on securing a Homeland Security Grant for the department.</p> <p>General Crime Section is made up of 3 Major Crime Detectives; 2 Sexual Assault Crime Detectives; 1 ICAC Detective; and 2 Crime Scene Specialists. The section handles hostage negotiations, murder cases, robbery, assaults, miscellaneous, death related incidents, domestic violence intervention, and sexual assault cases. Under the leadership of Assistant Chief Roy Asher, the Kaua‘i Police Department leads the state in having the only in-house Sexual Assault Nursing Examination Program whereas, before the victim (s) of an sexual assault had to endure countless hours waiting in the emergency room to be seen because others cases were viewed as more pressing.</p> <p>Special Focus Section is made up of 5 Property Crime Detectives and 1 White Collar Crime Detective. The unit handles vehicle recovery, school resource officer’s enforcement, and KPAL Program.</p> <p>Vice Section is made up of 5 Investigators, 1 Sergeant, and 2 K-9 Units. This section covers drug and narcotics seizures, asset forfeiture. Most recently the Vice Section conducted a marijuana eradication with the</p>	

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	<p>assistance of KPD's Task Force and the State Narcotics Enforcement Division.</p> <p>Commissioner Bahouth asked when doing a comparison on the amount of crimes the bureau investigates year to year how the year 2014 compares to 2015.</p> <p>Captain Ponce responded in 2014 the bureau investigated 632 burglaries and 449 theft cases whereas, in 2015 the bureau investigated 391 burglaries and 389 theft cases which was probably due to the incarceration of certain individuals and the public taking extra precautions to guard their property.</p> <p>Commissioner Hertog asked for information on the stats on crimes against individuals.</p> <p>Captain Ponce responded in terms of homicides cases the Department completed 100% of all its' homicide cases that occurred in the past five (5) years. In addition, the Department handled 3 officer involved shootings all of which occurred over a 24 month period of which all of the officers were cleared of any wrong doing. In August 2014 the ISB created its very own Specialized Detective Unit which helped to close 62% of its sexual assault cases that carried over to 2015.</p> <p>Commissioner Agarwal asked relative to the domestic abuse cases if he noticed an upward or downward trend. Captain Ponce responded the number of cases reported in 2015 was 440 compared to 460 in 2014.</p> <p>Commissioner Agarwal asked how many involved children.</p>	

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	<p>Captain Ponce responded based on the reports there was an increase which was probably due to a new law that if a person (s) commits an act of domestic abuse in front of a child under the age of 14 years old he or she will be charged with a felony.</p> <p>Chair Iona asked in terms of street value and an area that was hit the hardest what drug stood out.</p> <p>Captain Ponce responded that crystal methamphetamine ranked the highest in street and was the most drug seized. In terms of a particular area that was hit the hardest there was no specific area because a lot of the drugs were found throughout island.</p> <p>Chair Iona asked with the State's review panel decision almost upon us to issue dispensary licenses to individuals so they can sell medical marijuana what does he anticipate once individuals are given the green light.</p> <p>Captain Ponce responded that Kaua'i will only be allowed to have one medical marijuana dispensary on island which has drawn up a lot of questions from people wanting to know what KPD thinks is the best location on the island to have a medical marijuana dispensary, and whether KPD expects an increase in crime, and if so, what type of recommendation would KPD offer to help to these individual protect their dispensary from criminal activity.</p> <p>Captain Ponce pointed out that when it comes to marijuana use (legal or illegal) KPD views its use as a gateway drug to other high core drugs is very concerned about the drug getting into the wrong hands including the youth on the island.</p>	

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	<p>Commissioner Bahouth asked what type of role KPD plays during a hurricane or other natural disaster.</p> <p>Captain Ponce responded whenever a natural disaster strikes KPD will be ready to deploy its Incident Management Team as well as its police officers to assist with the evacuation for people living in the inundation zone as wells as assist the other county and state agencies with search, rescue and recovery missions.</p> <p>Commissioner Bahouth asked with all of the recent hurricane warnings did it affect the department's overtime costs.</p> <p>Captain Ponce responded yes, however, whenever the Governor declares a natural disaster the departments will usually (not always) get some federal monetary relief to help cover the overtime cost.</p> <p>Chair Iona asked being that marijuana is the second most drug confiscated is the department prepared to stay ahead of that curve in terms of having enough funding. Because the way things are looking it's going to be a hot topic and he's worried that the Department will not have enough funding.</p> <p>Captain Ponce responded that from an investigative standpoint KPD is not prepared because there are too many variables in terms of location, amount of staffing in the dispensary, and how good of a job the owner of the medical marijuana dispensary is going to do to secure the facility.</p> <p>Chief Perry explained that for KPD things would be business as usual because in their eyes marijuana is still an illegal drug on the federal side</p>	

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	<p>and that extra steps will be being taken to ensure that everyone is abiding the law. In regards to legalizing medical marijuana, Chief Perry explained that he has always been opposed to the idea; not because of people with a debilitating disease who needs it but because 89 percent of the certificates that are being issued by doctors are to people who do not qualify.</p> <p>With no further questions, Chair Iona moved onto the A&T Bureau.</p> <p><u>Administrative and Technical Bureau</u></p> <p>Assistant Chief Robert Gausephol along with Captain Paul Applegate gave an overview of the A&T Bureau.</p> <p>The A&T Bureau is made up of one Assistant Chief and one Captain who are responsible for the department’s major procurement, fleet maintenance, personnel/recruitment, community relations, training, research and development and the department’s CAD RMS team.</p> <p>Commissioner Bahouth asked about the status on the current vehicle fleet. A/C Gausephol responded that they were able to secure a bid and is currently in the procurement process.</p> <p>Commissioner Okami asked if the Department has seen a spike in the amount of firearms permits to which A/C Gausephol responded yes.</p> <p>Chief Perry mentioned that despite of having no experience in contract writing both A/C Gausephol and Captain Applegate have been doing a fantastic job. He explained that contract writing involves having an extensive knowledge in the fiscal aspect which is not part of their job</p>	

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	<p>description; they could oversee the process but when come down to actually writing the contract it should be done by a civilian expert so that these officers can focus their attention on other police matters such as training.</p> <p>A/C Gausephol pointed out that one of his big concerns is maintaining continuity. For example, should Captain Applegate get a promotion and he has to leave the bureau his absence alone will leave a huge gap which is why having a permanent civilian position in the A&T Bureau is important in order to maintain continuity.</p> <p>Commissioner O'Connor asked E/C Contrades to explain some of the details relating to the 911 Enhanced Fund. E/C Contrades called upon A/C Gausephol to explain the details.</p> <p>A/C Gausephol explained that the Enhanced 911 fund was established outside the state treasury as a special fund to be administered by the 911E board. The funds are amounts collected under section 138-4 of the Hawai'i Revised Statutes and shall remain separate and apart from the general fund of the State. The funds are to be expended exclusively by the board for the purposes of ensuring adequate funding to deploy and sustain 911E services, develop and fund future enhanced 911 technologies.</p> <p>Commissioner O'Connor asked what makes up the Enhanced 911 board to which A/C Gausephol responded the membership (all appointed by the governor) is made up of 13 voting members, a chief information officer or a designee, 3 representatives from the wireless communication service providers, one representative each from public answering points for O'ahu, Hawai'i, Kaua'i, Maui and Moloka'i, and one representative chosen by the mayor of the city and county of Honolulu, a consumer advocate or</p>	

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	<p>designee, a representative from a communications service company that offers Interconnected Voice over Internet Protocol services, and one representative of the public utility providing telecommunications services and land line enhanced 911 services.</p> <p>Commissioner Agarwal asked many more police officers does the department need to be fully staffed to which E/C Contrades responded based on a ratio the Department of Justice uses to track how much police officers should be in each department based on the population, the department is short 44 officers.</p> <p>Chair Iona asked with all of its uncompleted work and backlog including trying to bring its fleet of vehicles up to standard wouldn't it affect the accreditation process to which Lt. Jon Takamura responded no.</p> <p>With no further questions, Chair Iona moved unto the Office of Professional Standards</p> <p><u>Office of Professional Standards</u></p> <p>Acting Lieutenant James Miller along Detective Scott Williamson gave a brief overview of his the duties and responsibilities.</p> <p>Acting Lt. Miller stated that Internal Affairs is probably one of the most mysterious or missed understood sections in the Department.</p> <p>Relative to Lt. Rodriguez statement about not hearing any complaints since the implementation of the Body Worn Cameras, Acting Lt. Miller stated that there have been complaints it's just that Lt. Rodriguez was not made aware of the complaints. He went on to explain that within the first week</p>	

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	<p>of getting the body worn cameras he received a pretty serious complaint and what would have taken him months to investigate (which may be turn out inconclusive) it took him only a couple days because after reviewing the film footage it clearly showed that the officers involved were professional and did everything they were supposed to do.</p> <p>Acting Lt. Miller stated that his duties includes writing an annual analysis, listening to the recordings of all officer vehicle pursuits, reviewing reports relating to traffic collisions and incidents involving excessive use of force, commendations, divisional counseling and notice of disciplinary actions. After reviews a case he has to make a recommendation (based on his findings) to the Chief and Executive Chief in terms of any additional training that is needed to try to fix the problem; if there is one.</p> <p>Acting Lt. Miller shared different variations of report writing which clearly shows IA's as being the most extensive report writing. Acting Lt. Miller stated that after he completes his investigation he sends a report to the Administrative Review Board to determine (based on his findings) whether to sustained or not sustained the complaint. In regards to KPC notarized complaints, in 2015 he and team reviewed 12 complaints of 6 of which were duplicate complaints that were filed with KPD.</p> <p>In regards to the extensive amount of work the his job entails, A/Lt. Miller stated that the Office of Professional Standards is made up of one Acting Lieutenant, 2 Sergeants one to do the investigations and the other to do all of the work relating to CALEA(Commissions for all Law Enforcement Agencies). A/Lt. Miller stated that it has gotten to the point where he had to step in to because of the amount of work CALEA involves.</p>	

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	<p>In addition, He also has to oversee the polygraph testing, monitor the drug testing for all KPD's employees, secure and monitor in and out access to the building, evaluate, maintain and monitor all of the cameras in and around the station, attend the destruction of all drugs and firearms, review Taser downloads, conduct evidence audits, vehicle audits, body worn camera audits, random confidential fund audits along with the ISB, and complete an annual report relating to the use of force and a vehicle pursuit analysis and submit the report to the legislature and CALEA.</p> <p>A/Lt. Miller stated that in order to comply with a new general order that requires all of cases to be completed within a 90 day period his office is no way near to completion and that his staff has been working over time trying to complete the cases which goes far back as 2014. He stated that with all of the responsibilities his team has to fulfill it would a disservice to the officers involved not to have additional position in the Office of Professional Standards.</p> <p>Chief Perry commented that he is very proud of the work Acting Lt. Miler and the team has done. He added that it takes a very special person; someone who is above the board and has no friends which is one of the criteria's. He added that it's a tough job which is why he is making it a priority to get another position.</p> <p>Commissioner Hertog asked if his office is update with its audits especially the department that handles funds. A/Lt. Miller responded that there was one particular event that prompt his office to do more cash audits and they are currently in the process of doing more.</p> <p>Commissioner Hertog asked what the requirements are to do an audit especially on the funds, and if the audits are done annually and randomly to</p>	

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	<p>which A/Lt. Miller responded that his office is doing both.</p> <p>Commissioner Bahouth asked if the position that he is asking for is a Sergeant's position to which A/Lt. Miller responded yes. Commissioner O'Connor asked if funding is approved for the position is there someone he has mind who is ready and willing to take the position.</p> <p>A/Lt. Miller responded that he actually volunteered for the position because he saw it as an opportunity to help the department prove to the public that not all allegations made against officers are true. He added that it doesn't matter what the number on the badge reflects because it represents everyone in KPD; he doesn't want anyone to look at the badge and say all cops are crooks. But for the officers who do wrong they will take care of it either through corrective training or some type of disciplinary action.</p> <p>At 11:40 a.m. Chair Iona called for a five (5) minute recess. At 11:50 a.m. the meeting reconvened.</p> <p>E/C Contrades called upon Assistant Chief Gausephol and Captain Applegate to give a briefing on the 2 training officers' position the department is currently looking at.</p> <p>A/C Gausephol stated that the department is looking at hiring two 2 PO9 Officers to use as Training Instructors at an estimated cost is \$247,180.00 a year including fringe benefits. He stated that the department has never had a training cadre established and have since been utilizing resources from other bureaus causing overtime as well as departmental inefficiencies. He added that the 2 new positions will reduce overtime expenditures and allow those who are currently being used as trainers to focus on their police</p>	

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	<p>duties.</p> <p>A/C Gausephol went on to say that the estimated training cost for auxiliary trainers for the 2 academy classes held each year runs about \$249,600.00; recall training at \$172,380.00; and \$421,980.00 in overtime expenditures. He stated that the estimated cost saving in overtime expenditures is at \$421,980.00 minus \$247,000.00 for the 2 additional positions there is an estimated cost savings of \$174,000.00. Another true cost savings is the reduction of liability by having a consistent on-going training.</p> <p>Commissioner Bahouth asked what percentage the fringe represents to which A/C Gausephol responded 43% above the cost. Commissioner Bahouth asked if the additional officer positions would cover all of the training for the Department. A/C Gausephol responded that there clearly will be a learning curve, however, once they get the trainers on board with all of the different aspects it should run smoothly and mostly, the Department will be saving money.</p> <p>Captain Bryson Ponce stated that the Department also needs another PO11Detective position whose main focus will be on the property crime section which deals with residential, commercial, car break-ins, car thefts. The ISB hasn't seen an increase in manpower since 1987 and with the overwhelming work its Detectives are already tasked with having another position would definitely help with the enormous caseload.</p> <p>Assistant Roy Asher along with Acting Captain Scott Brede stated that relative to the Hanalei District, the Department is working towards establishing a lieutenant's position, 3 Sergeant positions and a clerk's position for the Hanalei District. He added that based on the geographical area, the amount of cases as well as the population establishing a District</p>	

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	<p>Commander in the Hanalei District is the right decision that needs to be done.</p> <p>Commissioner Mince stated that based on his presentation it looks like the Department is asking for a 3.9% increase which is due to collective bargaining that the Department has no control over asking what exactly is the Police Department asking for; it's asking for the 3.9% or is the Department asking for positions mentioned in the presentation.</p> <p>E/C Contrades stated that prior to start of the budget process the Department received directions from the Mayor's Budget Team basically asking the Department to come flat meaning no increases. He added the directions also stated that if there are items outside of last year's budget that the Department's needs they would have to list the items as a priority request.</p> <p>Commissioner Mince asked E/C Contrades if he could provide him with a detailed summary of what the Department's is actually asking for including a cost amount to which E/C Contrades responded yes.</p> <p>Chief Perry added that since being appointed in 2007 every year the Department has gone before council and requested from the Mayor for more additional positions (based on the Department's analysis) and each time they were met with opposition and direction to work with what they have in which they continue to do, however, the Department has reached a tipping point and something needs to be done about the situation. Although he understands that the Mayor and the Council have their own priorities it will never go away and at some point, the political aspect must give the Department what it needs; they are not asking for the world they're asking for a small number of positions to help the Department do its job the best it can.</p>	

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	With no further questions, Chair Iona moved onto the next agenda item.	
KPC 2016-01	<p><u>Discussion on the SRO (School Resources Officer) Program in the school.</u></p> <p>Chair Iona stated that from what he understands there have been some community out pour of wanting the program to remain. He stated that there also have been some indication (that he was made aware of) to approach the State to ask if they could help fund a portion of the cost for the SRO’s positions that way the Police Department would not have to cover the entire cost.</p> <p>Administrator Furfaro stated relative to the legislative process the Office of Boards and Commissions is tasked to track certain bills and if anyone has a bill they want to submit they have until February 27th that includes any request for any special funding for positions within the Board of Education.</p> <p>With no further comments, Chair Iona requested that the item stay on the agenda for continued at the next meeting.</p>	
KPC 2016-02	<p><u>Discussion on having the Police Commission meetings televised on HoiKe Kaua‘i Community Television.</u></p> <p>Commissioner Hertog stated it’s a matter of money as to whether or not the Commission goes back on air. Administrator Furfaro stated that the matter is up for reconsideration under the new contract when we go out with a request for purchase.</p>	

SUBJECT	DISCUSSION	ACTION
KPC 2016-03	<p><u>Discussion on establishing future salaries for the Chief of Police position.</u></p> <p>There were no comments.</p>	
KPC 2016-04	<p><u>Communication dated December 15, 2015, from Norman K. Kato II, SHOPO General Counsel to Chair Ernest Kanekoa Jr., regarding Kaua‘i Police Department Body-Worn Camera (BWC) Policy Implementation: SHOPO’s response to Chief Darryl Perry’s Letter to SHOPO Business Agent Mr. Stanton Koizumi, dated December 10, 2015.</u></p> <p>In regards to the outer island police departments, Chair Hertog asked if SHOPO has been in contact with the other police departments to see how everything plays out on Kaua‘i.</p> <p>Chief Perry responded that from what he understands SHOPO has been in contact with the other police departments and hopefully when everything is said and done the other departments will have smoother time implementing the body worn cameras in their respective departments.</p> <p>Chair Iona called for a motion to received agenda item KPC 2016-04.</p>	<p>Commissioner O’Connor moved to receive agenda item KPC 2016-04. Commissioner Okami seconded. Motion carried 7:0</p>
KPC 2016-05	<p><u>Communication dated January 13, 2016, from Chief of Police Darryl Perry to Chair Charles C.C. Iona, regarding the 2016 Kaua‘i Police Department Goals.</u></p> <p>Chair Iona called for a motion to receive agenda item KPC 2016-05.</p>	<p>Commissioner O’Connor moved to receive. Commissioner Agarwal seconded the motion. Motion carried 7:0</p>

SUBJECT	DISCUSSION	ACTION
Announcements	<p>Chair Iona announced – The next regular monthly meeting is scheduled for Friday, February 26, 2016, 9:00 a.m. at the Mo`ikeha Building, in Meeting Room 2A/2B, followed by Executive Session.</p> <p>At 12:37 p.m. Vice Chair Hertog cited the Hawai‘i Revised Statutes to bring the meeting into Executive Session.</p>	
Executive Session – ES-33	Pursuant to the Hawai‘i Revised Statutes §92-4 and §92-5 (a) (4), the purpose of this Executive Session is for the Commission to consult with its attorney as to the powers, duties, privileges, immunities, and liabilities as they may relate to a Declaratory Action to determine the powers of the Mayor and the powers of the Police Commission. (On-going)	
ES KPC 2016-001	Pursuant to the Hawai‘i Revised Statutes §92-4, §92-5 (a) (4), §92-9 (a) (1-4) and (b), the purpose of this Executive Session is for the Commission to approve the Executive Session minutes of December 18, 2015 , and to consult with its attorney on issues pertaining to the Commission’s and the County’s powers, duties, privileges, immunities, and/or liabilities as they may relate to this agenda item.	
ES KPC 2015-041	Pursuant to Hawai‘i Revised Statutes §92-4, §92-5 (a) (2) and (4), the purpose of this Executive Session is for the Commission to dismissal, or discipline of an employee or officer of charges brought against the officer or employee, where consideration of matters affecting privacy will be involved, provided that if the individual concerned requests an open meeting, an open meeting shall be held; and to consult with its attorney on issues pertaining to the Commission’s and the County’s powers, duties, privileges, immunities, and/or liabilities as they may relate to the following agenda items:	

SUBJECT	DISCUSSION	ACTION
	<p><u>ES KPC 2015-041:</u> New non-notarized complaint KPC 2015-013, received on November 19, 2015, is in reference to a request for help from the Police Commission to ask someone from the Internal Affairs Unit to assist the complainant in filing a complaint against four (4) police officers in the Kaua‘i Police Department for misconduct; and in a separate complaint the complainant alleges that an officer violated his civil rights, projected cruel and unusual punishment and excessive use of force. (Deferred on December 18, 2015)</p>	
ES KPC 2016-002	<p>Four communications dated December 17, 2015, from Police Chief Darryl Perry to Chair Ernest Kanekoa Jr., and Commission Members, regarding Kaua‘i Police Department’s decisions on notarized complaints Nos. KPC 2014-03, KPC 2014-10; KPC 2014-11; KPC 2014-12; KPC 2014-017; and KPC 2014-021.</p> <p>Chair Iona called for a motion to enter into Executive Session.</p>	<p>Commissioner Okami moved to enter into Executive Session. Commissioner Agarwal seconded the motion. Motion carried 7:0</p>
Return to Open Session to ratify the actions taken in Executive Session	<p>At 1:04 p.m. the Commission return to Open Session. Chair Iona called for a motion to ratify the actions taken in Executive Session.</p>	<p>Commissioner Okami moved to ratify the actions taken in Executive Session. Commissioner O’Connor seconded the motion. Motion carried 7:0.</p> <p>ES-33: There were no current updates.</p> <p>ES: KPC 2016-001: Motion carried 7:0 to approve the Executive Session meeting minutes of December 18, 2015.</p> <p>ES: KPC 2015-041: Motion carried 7:0 to defer the item to the February meeting.</p>

SUBJECT	DISCUSSION	ACTION
		ES: KPC 2016-002: Motion carried 7:0 to receive all four (4) communications dated December 17, 2015.
Adjournment	With no further business to conduct, Chair Iona called for a motion to adjourn the meeting.	Commissioner Agarwal moved to adjourn the meeting. Commissioner O'Connor seconded the motion. Motion carried 7:0 At 1:04 p.m. the meeting adjourned.

Submitted by: _____
Mercedes Omo, Staff Support Clerk

Reviewed and Approved by: _____
Charles C.C. Iona, Chair

☒ Approved as circulated on February 26, 2016.

☐ Approved as amended. See minutes of _____ meeting.